

SUBPART D. PARTIES

Sec. 24. Principals

All persons concerned in the commission of a crime, whether present or absent, and whether they directly commit the act constituting the offense, aid and abet in its commission, or directly or indirectly counsel or procure another to commit the crime, are principals.
(Source: R.S. 14:24)

Sec. 25. Reserved

SUBPART E. INCHOATE OFFENSES

Sec. 26. Criminal conspiracy

A. Criminal conspiracy is the agreement or combination of two or more persons for the specific purpose of committing any crime; provided that an agreement or combination to commit a crime shall not amount to a criminal conspiracy unless, in addition to such agreement or combination, one or more of such parties does an act in furtherance of the object of the agreement or combination.

If the intended basic crime has been consummated, the conspirators may be tried for either the conspiracy or the completed offense, and a conviction for one shall not bar prosecution for the other.

B. Whoever is a party to a criminal conspiracy to commit any crime shall be fined in the same manner as for the offense contemplated by the conspirators; but such fine shall not exceed one-half of the largest fine prescribed for such offense.

(Source: R.S. 14:26)

Sec. 27. Attempt

A. Any person who, having a specific intent to commit a crime, does or omits an act for the purpose of and tending directly toward the accomplishing of his object is guilty of an attempt to commit the offense intended; and it shall be immaterial whether, under the circumstances, he would have actually accomplished his purpose.

B. Mere preparation to commit a crime shall not be sufficient to constitute an attempt; but lying in wait with a dangerous weapon with the intent to commit a crime, or searching for the intended victim with a dangerous weapon with the intent to commit a crime, shall be sufficient to constitute an attempt to commit the offense intended.

C. An attempt is a separate but lesser grade of the intended crime; and any person may be convicted of an attempt to commit a crime, although it appears on the trial that the crime intended or attempted was actually perpetrated by such person in pursuance of such attempt.

D. Whoever attempts to commit any crime shall be fined in the same manner as for the offense attempted; such fine shall not exceed one-half of the largest fine prescribed for the offense so attempted.

constitute an attempt to commit the offense intended.

C. An attempt is a separate but lesser grade of the intended crime; and any person may be convicted of an attempt to commit a crime, although it appears on the trial that the crime intended or attempted was actually perpetrated by such person in pursuance of such attempt.

308A

D. Whoever attempts to commit any crime shall be fined in the same manner as for the offense attempted; such fine shall not exceed one-half of the largest fine prescribed for the offense so attempted.

(Source: R.S. 14:27)

Sec. 28-32. Reserved

PART II. OFFENSES AGAINST THE PERSON

Sec. 33. Battery defined

Battery is the intentional use of force or violence upon the person of another; or the intentional administration of a poison or other noxious liquid or substance to another.

(Source: R.S. 14:33)

Sec. 34-34.1. Reserved

Sec. 34.2. Battery of a police officer

A. (1) Battery of a police officer is a battery committed without the consent of the victim when the offender has reasonable grounds to believe the victim is a police officer acting in the performance of his duty.

(2) For purposes of this Section, "police officer" shall include commissioned police officers, sheriffs, deputy sheriffs, marshals, deputy marshals, correctional officers, constables, wildlife enforcement agents, state park wardens, and probation and parole officers.

(3) For purposes of this Section, "battery of a police officer" includes the use of force or violence upon the person of the police officer by throwing feces, urine, blood, saliva, or any form of human waste by an offender.

B. (1) Whoever commits the crime of battery of a police officer shall be fined not more than five hundred dollars.

C. This section shall not apply if either:

(1) At the time of the commission of the offense, the offender is under the jurisdiction and legal custody of the Department of Public Safety and Corrections, or is being detained in any jail, prison, correctional facility, juvenile institution, temporary holding center, halfway house, or detention facility.

(2) The battery produces an injury that requires medical attention.

(Source: R.S. 14:34.2)

Sec. 34.3. Battery of a school teacher

A. (1) Battery of a school teacher is a battery committed without the consent of the victim when the offender has reasonable grounds to believe the victim is a school teacher acting in the performance of employment duties.

(2) For purposes of this Section, "school teacher" shall include any teacher or instructor, administrator, staff person, or employee of any public or private elementary, secondary, vocational-technical training, special, or post-secondary school or institution.

B. Whoever commits the crime of battery of a school teacher shall be fined not more than one thousand dollars.

(Source: R.S. 14:34.3)

performance or employment duties.

(2) For purposes of this Section, "school teacher" shall include any teacher or instructor, administrator, staff person, or employee of any public or private elementary, secondary, vocational-technical training, special, or post-secondary school or institution.

308A

B. Whoever commits the crime of battery of a school teacher shall be fined not more than one thousand dollars.

(Source: R.S. 14:34.3)

Sec. 34.4. Battery of a school or recreation athletic contest official

A. (1) Battery of a school or recreation athletic contest official is a battery committed without the consent of the victim when the offender has reasonable grounds to believe the victim is a school athletic or recreation contest official.

(2) For purposes of this Section, "school athletic contest official" means any referee, umpire, coach, instructor, administrator, staff person, or school or school board employee of any public or private elementary and secondary school while actively engaged in the conducting, supervising, refereeing, or officiating of a school sanctioned interscholastic athletic contest.

(3) For purposes of this Section, "recreation athletic contest official" means any referee, umpire, coach, instructor, administrator, staff person, or recreation employee of any public or quasi public recreation program while actively engaged in the conducting, supervising, refereeing, or officiating of a sanctioned recreation athletic contest.

B. (1) Whoever commits the crime of battery of a school or recreation athletic contest official shall be fined not more than five hundred dollars.

(Source: R.S. 14:34.4)

Sec. 34.5-34.7. Reserved

Sec. 35. Simple battery

Simple battery is a battery committed without the consent of the victim.

Whoever commits a simple battery shall be fined not more than five hundred dollars.
(Source: R.S. 14:35)

Sec. 35.1. Simple battery of a child welfare worker

A. (1) Simple battery of a child welfare worker is a battery, other than a second degree battery or an aggravated battery as same is defined in LA. R.S. 14:34 and 34.1, committed without the consent of the victim when the offender has reasonable grounds to believe the victim is a child welfare worker working in the performance of employment duties who has presented proper identification.

(2) For purposes of this Section, "child welfare worker" shall include any child protection investigator, family services worker, foster care worker, adoption worker, any supervisor of the above, or any person authorized to transport clients for the agency.

B. Whoever commits the crime of simple battery of a child welfare worker shall be fined not more than five hundred dollars.
(Source: R.S. 14:35.1)

Sec. 35.2. Simple battery of the infirm

A. Simple battery of the infirm is a battery committed against an infirm, disabled, or aged person who is incapable of consenting to the battery due to either of the following:

(1) Advanced age.

(2) Unsoundness of mind, stupor, abnormal condition of the mind, or other mental or developmental disability, regardless of the age of the victim.

B. For purposes of this Section, "infirm, disabled, or aged person" shall include but not be limited to any individual who is a resident of a nursing home, mental retardation facility, mental

(1) Advanced age.

308A

(2) Unsoundness of mind, stupor, abnormal condition of the mind, or other mental or developmental disability, regardless of the age of the victim.

B. For purposes of this Section, "infirm, disabled, or aged person" shall include but not be limited to any individual who is a resident of a nursing home, mental retardation facility, mental health facility, hospital, or other residential facility, or any individual who is sixty years of age or older. Lack of knowledge of the person's age shall not be a defense.

C. Whoever commits the crime of battery of the infirm shall be fined not more than five hundred dollars.

(Source: R.S. 14:35.2)

Sec. 36. Assault defined

Assault is an attempt to commit a battery, or the intentional placing of another in reasonable apprehension of receiving a battery.

(Source: R.S. 14:36)

Sec. 37. Aggravated assault

A. Aggravated assault is an assault committed with a dangerous weapon.

B. Whoever commits an aggravated assault shall be fined not more than one thousand dollars.

C. If the offense is committed upon a store's or merchant's employee while the offender is engaged in the perpetration or attempted perpetration of theft of goods, the offender shall be fined not more than one thousand dollars.

(Source: R.S. 14:37)

Sec. 37.1-37.2 Reserved**Sec. 37.3. Unlawful use of a laser on a police officer**

A. Unlawful use of a laser on a police officer is the intentional projection of a laser on or at a police officer without consent of the officer when the offender has reasonable grounds to believe the officer is a police officer acting in the performance of his duty and that the officer will be injured, intimidated, or placed in fear of bodily harm.

B. For purposes of this Section the following terms have the following meanings:

(1) "Laser" means any device that projects a beam or point of light by means of light amplification by stimulated emission of radiation or any device that emits light which simulates the appearance of a laser.

(2) "Police officer" shall include commissioned police officers, sheriffs, deputy sheriffs, marshals, deputy marshals, correctional officers, constables, wildlife enforcement agents, and probation and parole officers.

C. Whoever commits the crime of unlawful use of a laser on a police officer shall be fined not more than five hundred dollars.

(Source: R.S. 14:37.3)

Sec. 38. Simple assault

Simple assault is an assault committed without a dangerous weapon.

Whoever commits a simple assault shall be fined not more than two hundred dollars.

(Source: R.S. 14:38)

Sec. 38. Simple assault

308 A

Simple assault is an assault committed without a dangerous weapon.

Whoever commits a simple assault shall be fined not more than two hundred dollars.
(Source: R.S. 14:38)

Sec. 38.1. Reserved

Sec. 38.2. Assault on a school teacher

A. (1) Assault on a school teacher is an assault committed when the offender has reasonable grounds to believe the victim is a school teacher acting in the performance of his duties.

(2) For purposes of this Section, "school teacher" means any teacher, instructor, administrator, staff person, or employee of any public or private elementary, secondary, vocational-technical training, special, or postsecondary school or institution.

B. Whoever commits the crime of assault on a school teacher shall be fined not more than five hundred dollars.

(Source: R.S. 14:38.2)

Sec. 39. Negligent injuring

It shall be unlawful for any person to commit negligent injuring. Negligent injuring is the inflicting of any injury upon the person of another by criminal negligence.

The violation of an ordinance or law shall be considered only as presumptive evidence of such negligence.

Whoever commits the crime of negligent injuring shall be fined not more than five hundred dollars.

(Source: R.S. 14:39)

Sec. 39.1. Vehicular negligent injuring

A. Vehicular negligent injuring is the inflicting of any non-serious bodily injury upon the person of a human being when caused proximately or caused directly by an offender engaged in the operation of, or in actual physical control of any, motor vehicle, aircraft, watercraft, or other means of conveyance whenever any of the following conditions exists:

(1) The offender is under the influence of alcoholic beverages.

(2) The offender's blood alcohol concentration is 0.10 percent or more by weight based upon grams of alcohol per one hundred cubic centimeters of blood.

(3) The offender is under the influence of any controlled dangerous substance listed in Schedule I, II, III, IV, or V as set forth in LA R.S. 40:964.

B. The violation of an ordinance or law shall be considered only as presumptive evidence of negligence as set forth in Subsection A.

C. For the purpose of this section "non-serious bodily injury" means bodily injury which does not involve unconsciousness, extreme physical pain or protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member or organ or a mental faculty, or a substantial risk of death.

D. Whoever commits the crime of vehicular negligent injuring shall be fined not more than one thousand dollars.

(Source: R.S. 14:39.1)

Sec. 39.2. Reserved

(Source: R.S. 14:39.1)

308 A

Sec. 39.2. Reserved

Sec. 40. Intimidation by officers

Intimidation by officers is the intentional use, by any police officer or other person charged with the custody of parties accused of a crime or violation of a municipal ordinance, of threats, violence, or any means of inhuman treatment designed to secure a confession or incriminating statement from the person in custody.

Whoever commits the crime of intimidation by officers shall be fined not more than five hundred dollars.